

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S008874

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

ARCADIA VINEYARDS LLC

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

ARCADIA VINEYARDS LLC
5766 SILVERADO TRAIL
NAPA, CA 94558

Agent:

Address:

Phone No.

Fax No.

E-mail Address:

Phone No. 707-265-~~2425~~ 2426

Fax No. 707-252-0759

E-mail Address: ARCADIA@wminapa.com

Source Name: UNST

Tributary To:

County: Napa

Diversion within: SW 1/4 of SW 1/4 Section 30, T 6 N, R 3 W, MDB&M

Year of First Use: 1975

Name of Diversion works:

**Assessor Parcel Number
of the Diversion site:**

STATE WATER RESOURCES
CONTROL BOARD
2008 JUL 10 AM 11:48
SACRAMENTO

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 claim ☐ Court Decree No.: Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims))

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) Gallons per day (gpd) Cubic feet per second (cfs)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005													
2006													
2007													

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons Million Gallons (MG) Acre-feet (AF)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005			X	X	X	X	X						20
2006													
2007													

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 100 acres; Stockwatering ; Domestic
Other (specify) FROST PROTECTION, HEAT CONTROL, FIRE PROTECTION & RECREATION

Parcel Number(s) of Place of Use:

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐
Describe any water conservation efforts you have initiated: DRIP IRRIGATION, VINE TO VINE - RESTRICTED APPLICATION, SOIL MOISTURE TESTING

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ☒ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ☒ NO _____.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
- Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)
- I have data to support the above surface water use reductions due to the use of groundwater. YES ☒ NO _____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 21, 2008 at NAPA, California

SIGNATURE: _____

PRINTED NAME: _____

(first name)

(middle initial)

(last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

ITEM

CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



Cal/EPA

**State Water
Resources
Control Board**

**Division of
Water Rights**

Mailing Address:
P.O. Box 2000
Sacramento, CA
95812-2000

901 P Street
Sacramento, CA
95814
(916) 657-2046
FAX (916) 657-1485
E-Mail:
rond@wrfs2.swrcb.ca.gov



Pete Wilson
Governor

In Reply Refer
to:341:RMD:24456A
S8874

MAY 08 1997
Michael Silacci
5766 Silverado Trail
Napa, CA 94558

Dear Mr. Silacci:

LICENSE 13152 (APPLICATION 24456A) AND STATEMENT NO. S8874,
UNNAMED STREAM TRIBUTARY TO SARCO CREEK IN NAPA COUNTY

This letter is to follow up our phone conversations on
May 1, 1997 concerning the above-referenced water right.

As requested, enclosed is a copy of License 13152. Our
records currently show ownership of the license in the name
of "Austin E. Hills".

After our phone conversations, I subsequently located a
claim of riparian right (copy enclosed), assigned No. S8874,
also in the of Austin E. Hills. For background information
on riparian rights, I have enclosed a pamphlet entitled
"Statements of Water Diversions and Use".

I understand you will provide us with updated ownership
information for License 13152. Similarly, you should
determine if the riparian right's ownership should also be
updated, particularly if the diversion under the claim of
riparian right is still active. There are no fees required
to update the ownership of the water right(s).

As we discussed, you should be aware of the special terms
and conditions in the license, particularly the fish bypass
flow requirements of 1 cubic foot per second (cfs) or the
natural stream flow, whichever is less, from November 1 to
February 29, and 0.5 cfs or the natural stream flow,
whichever is less, from March 1 to May 15.

If you have any questions, please write or telephone me at
the above number.

Sincerely,

ORIGINAL SIGNED BY

Ronald M. Duff
Associate WRC Engineer
Permit and License Unit

Enclosures

RMDuff:mluna
d:\rmd\24456A\5-7-97



Recycled Paper

SURNAME

DWR 540 REV. 1/86

RMDuff 5-7-97

*Our mission is to preserve and enhance the quality of California's water resources, and
ensure their proper allocation and efficient use for the benefit of present and future generations.*

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

S8874

This statement should be typewritten or legibly written in ink.

- A. Name of person diverting water Austin E. Hills
Address 311 California St., San Francisco, Ca. 94104
- B. Name of body of water at point of diversion Unnamed Stream
Tributary to Sacra Creek thence Milliken Creek
- C. Place of diversion SW 1/4 SW 1/4 Section 30, Township 6N, Range 3W, M.D. B&M,
Napa County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.
- D. Name of works Lake Hills
- E. Capacity of diversion works ~~40 acre feet~~ 4160 gpm cubic feet per second
Capacity of storage reservoir ~~40 acre feet~~ gallons per minute
gallons
acre-feet
- State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar. ¹⁶	Apr.	May ¹⁵	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1975			5	10	5								20

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years ~~20~~ 20 gallonsMinimum annual water use in recent years 20 acre-feetType of diversion facility: gravity ~~X~~, pump XMethod of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate XF. Purpose of use (what water is being used for) Frost Protection, Heat Control,
Irrigation, and Fire Protection, and Recreation.G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
1134 Olive Hill Rd., Napa, Ca. 94558H. Year of first use as nearly as known 1975I. Name of person filing statement Austin E. Hills
Position General Partner Organization Olive Hills Vineyards
Address 311 California St., San Francisco, Ca. 94104

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: July 15, 1976, at San Francisco, CaliforniaSignature: Austin E. Hills

See Instructions on Reverse Side